SLATON SITS ON BENCH DURING THAW HEARING

Evelyn Thaw Decides to Obey Subpoena to Testify for The State.

New York, July 1.—Although word was received here today from Malone, N. Y., that Evelyn Nesbit Thaw had announced that

she would decline to obey the Subpoena summoning her to New York to testify as a State Witness at the trial to test the sanity of her husband, Harry K. Thaw, Information considered authentic reached the Deputy Attorney General's Office today that she had reluctantly decided to submit to the Ordeal.

Accordingly, plans to compel her attendance were abandoned. She is expected to be here to take the Stand on Tuesday.

Mrs. Thaw, who is camping at Chateau-at-Lake, near Malone, is said to be in poor health and her reluctance to testify was based on the fear, it was reported, that she might be unable to stand the strain of Cross Examination.

Today's Session of the trial was occupied entirely with the Reading of Documentary evidence, consisting of testimony bearing on Thaw's sanity, given at previous Proceedings. The Reading of this testimony, State's Attorneys thought, would be completed in time to call their first Witness some time tomorrow.

Former Governor John M. Slaton, of Georgia, who recently commuted the Death Sentence of Leo M. Frank to Life Imprisonment, occupied a seat on the Bench beside Justice Hedrick when Thaw's trial was resumed today. He listened with attention to further Reading of the testimony given by Thaw's mother at the second murder trial. This was followed by more of the Records of Thaw's life at the Matteawan Asylum.